IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7989 OF 2006

Mahesh Uttam Tikone..... ..... Petitioner.
V/s
M/s.Alfa Laval (India) Ltd..... ..... Respondent.

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| Office Notes, Office Memoranda of Coram, appearances Court's orders or directions and Registrar's orders. | Court's or Judge's Orders |
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Mr.P.M.Gore, Adv. for the petitioner.

Mr.Kiran Bapat i/by Mr.Avinash Fatangare, Adv. For respondent.

**CORAM: A.P. DESHPANDE, J.**
19.6.2007

PC:

The petitioner was appointed as job trainee for a period of two years from 7.3.1996 and the said period was thereafter extended till 29.12.1999. The petitioner was being paid a fixed amount by way of stipend. At the expiry of the contract period the petitioner was discontinued. The petitioner had initially approached the Industrial Court before his discontinuance by making grievance under item 6 of Schedule IV and after his discontinuance had moved the Labour Court under item 1 of Schedule IV calling in

question the legality and validity of his termination. Parties led evidence before the Labour Court. The Labour Court concluded that there is no retrenchment as the petitioner was relieved at the end of term of contract and discontinuance was under section 22(oo)(bb). Hence provisions of section 25F of the I.D. Act were not attracted. The Court has further recorded a finding that by way of abandoned precaution the respondent had also offered retrenchment compensation and notice pay to the petitioner but he did not collect the same despite offered. Aggrieved by dismissal of the complaint petitioner filed a revision before the Industrial Court. However the Industrial Court concurred with the view taken by the Labour Court and dismissed the revision which has promoted the petitioner to file the present writ petition. Perused the impugned orders. Same do not suffer from any patent illegality warranting interference at the hands of this Court. The Courts below have taken very possible view of the matter. Hence writ petition is summarily dismissed.

19.6.07.